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April 13, 2006

By Facsimile

With Permission to Fax by Chambers

The Honorable Allyne R. Ross

United States District Court

Eastern District of New York

225 Cadman Plaza East

Brooklyn, New York 11201

As per the parties' request, the case is transferred to the United States District Court for the S.D.N.Y. Sordered. 4/18/06, vjs

Re: **Maria Barretto v. Hortensia Gonzolez (a.k.a. Hortensia Gonzalez)** cc: parties
As Administrator of the Estate of Dennis Mojica
Index No. 06 CV 1609 (ARR) (RER)

Dear Judge Ross:

This firm represents defendant Hortensia Gonzalez in the above referenced action. For the reasons set forth below the parties respectfully request that this action be transferred to the United States District Court for the Southern District of New York.

Plaintiff Maria Barretto commenced this action in the Supreme Court of the State of New York, County of Kings in an attempt to obtain money and property from the Estate of Dennis Mojica, a New York City fire fighter killed as a result of the September 11th attacks. On April 7, 2006, we removed this action to the federal court pursuant to Section 408(b)(3) Air Transportation Safety System and Stabilization Act (the "Act"). Defendant filed a notice of removal in the Eastern District pursuant to Section 1441(a) of Title 28 U.S.C. which requires that civil actions removed to federal court be specifically removed "to the district court of the United States for the district and division embracing the place where such action is pending."

While we were required to remove the case to this Court pursuant to 18 U.S.C. 1441(a), Section 408(b)(3) of the Act grants exclusive jurisdiction to the Southern District of New York for

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FROM

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CULLEN and DYKMAN LLP

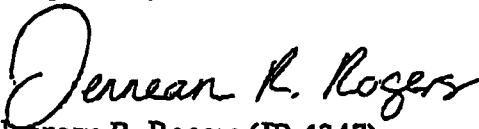
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claims flowing from the aircraft crashes that occurred on September 11, 2001. Section 408(b)(3) provides:

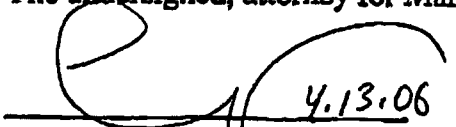
The United States District Court for the Southern District of New York shall have original and exclusive jurisdiction over all actions brought for any claim (including any claim for loss of property, personal injury, or death) resulting from or relating to the terrorist-related aircraft crashes of September 11, 2001.

For this reason, the parties make this joint application respectfully requesting that this case be transferred to the Southern District of New York. Thank you for your consideration of this request.

Respectfully submitted


Jennean R. Rogers (JR 4347)

The undersigned, attorney for Maria Barretto, joins in this request.


4.13.06
Christopher Smith (CS 9014), subject to challenging right to removal.